

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, February 16, 2012 in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Dr. Teri Quinn Gray, President; Jorge L. Melendez, Vice President; Gregory B. Coverdale, Jr., G. Patrick Heffernan, Dr. Terry M. Whittaker, Dr. James L. Wilson and Mr. Daniel Cruce, Deputy Executive Secretary and Deputy Secretary of Education/Chief of Staff. Donna R. Johnson, who serves as the State Board's Executive Director, was also present.

Also in attendance were Catherine Hickey, Deputy Attorney General and legal counsel for the State Board of Education; Dr. Linda Rogers, Associate Secretary for Teaching and Learning; Karen Field Rogers, Associate Secretary for Financial Reform and Resource Management and Dr. Amelia Hodges, Associate Secretary for College and Workforce Readiness.

Attending portions of the meeting in conjunction with agenda items: Charles Michels, Professional Standards Board (PSB); Paula Fontello, Deputy Attorney General; Dr. Michael Stetter, Dr. Susan Haberstroh, Joanne Reihm, Diane Donohue, Marian Wolak, Ellen Mingione and John Carwell.

Also attending: John Hindman, Deputy Attorney General; Jon Altshul, Rodel, Noel Rodriguez, Academy of Dover; Deb Stevens, Delaware State Education Association (DSEA); Kristin Mullen, Governor's Advisory Council for Exceptional Citizens (GACEC); G. Scott Reihm, Delaware Association of State Administrators (DASA); Angela Zobel, Jane Vivana, Amber Augustus, Delaware Teacher of the Year; Kendall Massett, Delaware Charter School Network, Leida Sanchez, Academy of Dover; Lamont Browne, East Side Charter School, Nancy Wagner, Academy of Dover; Letisha Laws, East Side Charter School; Leah Anderson, East Side charter School, Rod Ward, East Side Charter School, Don Mell, Prestige Charter; and Ruby Coppadge, Academy of Dover.

Call to Order

President Gray presided over the monthly meeting and called the February 16, 2012 meeting of the State Board of Education/State Board for Vocational Education to order at 1:05 p.m. She welcomed all guests to the State Board's public meeting.

Approval of the Agenda

Dr. Gray stated that the first item on the agenda was the approval of the agenda. She indicated that there was no addendum. A motion was made by Mr. Coverdale to approve the agenda as distributed. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Dr. Whittaker	
Dr. Wilson	

Approval of Minutes

It was announced that the Board members received the minutes from the regular meeting of January 19, 2012. Dr. Gray asked if there were any additions or revisions to the regular meeting minutes.

A motion was made by Dr. Whittaker to approve the minutes of the regular meeting of January 19, 2012 as distributed. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Dr. Whittaker	
Dr. Wilson	

Mr. Heffernan abstained as he was not present for the entire meeting.

Formal Public Comment

It was indicated that this was the time the Board set aside for formal public comment. Dr. Gray announced that no individuals signed up to address the State Board.

Committee Reports

Dr. Whittaker attended the ceremony for Kirk Middle School students who completed their anti-bullying program and as the keynote speaker offered congratulations

to the students. The Board was reminded of the visit from Kirk Middle School students last year to a State Board meeting for recognition of the program “If You Really Knew Kirk.”

Mr. Melendez attended the ESEA Flexibility meeting in Georgetown and commented on the conversation and dialogue that took place. He also participated in the Sussex Technical High School Career Day representing PNC Bank. Mr. Melendez highlighted the area businesses that also participated noting the extent of community involvement and the community’s value for the importance of education.

Dr. Wilson attended the ESEA Flexibility meeting in Georgetown. He also attended the State Mentoring Summit which is focusing on increasing mentoring involvement in the middle school grades. Dr. Wilson attended a Town Hall meeting in Lewes sponsored by the Governor’s Office with many Cabinet Secretaries in attendance.

Ms. Johnson reported on her involvement in meetings on the charter performance framework and meetings of the Charter School Accountability Committee. She noted that she and Dr. Gray met with Senator Coons on the American Dream Act and met with State Treasurer Flowers on financial literacy. Ms. Johnson also made comments at the Joint Finance Hearing on behalf of the Education Consortium and distributed her comments and the composition of the Consortium’s membership.

Dr. Gray, in addition to meeting with Senator Coons and Mr. Flowers, met with the Delaware PTA and Ross Ambrecht of the Delaware Foundation of Science and Mathematics Education.

Technology Items

Ms. Johnson informed the members of the State Board that the paperwork to move forward on its paper-free initiative has been submitted to DTI. Once an agreement is finalized the iPad tablets will be ordered for the State Board members.

Strategic Plan

Ms. Johnson presented the final draft of the State Board’s Strategic Plan 2011-2015. The plan was developed at the Board’s retreat and infuses all of the thoughts and voices of the Board together. The plan focuses on three principles: college, career and citizenship readiness. She highlighted the connection of the Board’s plan to Delaware’s

Education Plan with the Board's focus on Common Core standards and assessments, high performing schools, educators as catalysts and 21st Century skills. It was explained that the Board would connect its presentations to its strategic plan and Ms. Johnson presented the Board with communication and outreach initiatives.

Delaware Teacher of the Year

At this time, President Gray asked Amber Augustus to come forward to be formally recognized as Delaware's 2012 State Teacher of the Year. Dr. Gray read Ms. Augustus's philosophy of teaching noting that Ms. Augustus is a fifth grade teacher from the Smyrna School District, and teaches math, science and social studies at John Bassett Moore Intermediate School. Ms. Augustus was presented with the State Board's Order of Excellence, which is the highest award the Board can bestow. Mr. Melendez noted that on behalf of the State Board Ms. Augustus would receive a \$250 honorarium. Deputy Secretary Cruce presented Ms. Augustus with the Secretary's Merit Award.

Ms. Augustus made brief remarks and challenged the Board to keep making progress for Delaware's education system. Congratulations were extended. Dr. Gray thanked Ms. Augustus for her inspiring comments.

DCAS Update

Dr. Michael Stetter, Director, Accountability Resources, provided an update on the DCAS Assessment. He noted that the winter testing window opened on December 5, 2011 and ended on February 10, 2012. The spring window opens on February 27, 2012. Embedded field test items are included for Common Core aligned items and Lexile reading items. Dr. Stetter explained that the DCAS-Alternate Assessment Spring test window is scheduled for April 16-May 31, 2012 and Caveon Security has been contracted for a test security audit. Embedded security measures in the DCAS system will be launched in the 2012-13 test cycle. There was discussion on the training available for Delaware educators to analyze test data.

Governor's Education Agenda

Daniel Cruce, Deputy Secretary/Chief of Staff, introduced Ellen Mingione, Deputy Officer in the Delivery Unit, who provided an update on the Race to the Top On-site Review. The U.S. Department of Education has scheduled its annual review March

19-23, 2012 for the State's fiscal oversight and accountability. The U.S. Department of Education will also meet with staff from the Colonial School District, Seaford School District and Positive Outcomes Charter School. The U.S. Department of Education will review the implementation of the Partnership Zone schools and principal support projects. The visit will also review the State's programs and progress to meeting targeted performance measures. Ms. Mingione commented that the U.S. Department of Education's review is similar to the State's review with districts. Mr. Cruce explained that the U.S. Department of Education looks at accountability differently for Race to the Top indicating it is about the support provided to the districts.

Mr. Cruce introduced Marian Wolak, Director of Curriculum, Instruction and Professional Development. Ms. Wolak provided an update on Delaware's revision to the plan for the implementation of the Common Core State Standards. The Board learned that after meeting with colleagues from around the nation, the Department made the decision to reboot its work on the Common Core State Standards roll out and re-engage its stakeholders. Ms. Wolak stated that Common Core and DPAS II are the two most significant initiatives to ensure every Delaware student graduates college and career ready. She explained that there would be a new focus on simplicity to show the connection of Common Core with DPAS II as a support tool. A specific communications plan will be developed to convey the intention of the Common Core State Standards along with statewide expectations and support. The Board received a timeline of deliverables for this initiative. Ms. Wolak discussed a newly developed steering committee of educational stakeholders representing teachers, leaders, and higher education institutions working on the implementation plan. The Board also viewed a short video on the Five Principles of the Common Core Standards with David Coleman, founder of Student Achievement Partners and a lead player in the development of the Common Core Standards in literacy. Mr. Coleman and Bill McCallum, who developed Tools for the Common Core Standards, are scheduled to come to Delaware as part of the implementation reboot work.

ESEA Flexibility

Dr. Susan Haberstroh, Education Associate, Legislative Liaison and Regulation Review and Joanne Reihm, Education Associate, Accountability, provided an update on the Department's proposal for ESEA Flexibility. Ms. Reihm and Dr. Haberstroh attended a pre-peer review session convened by the Council of Chief State School Officers. The session provided very useful feedback for the Department to address stakeholder engagement from diverse groups and address students with disabilities and English learners. The Department has also received feedback from its stakeholders and the annual measurable objectives were revised based on that feedback. The Board was presented with a revised timeline for its submission for which the deadline was extended by one week by USED. Of the eleven states that applied in November, 2011, ten of those states were approved, seven with no conditions. Mr. Cruce thanked Dr. Haberstroh and Ms. Reihm for all their hard work with the ESEA Flexibility waiver.

Secretary's Report, Review and Discussion

Mr. Cruce indicated that he did not have anything to report for the Secretary's Report but noted to the State Board how all the initiatives are linked together, i.e., DCAS, Common Core, and ESEA Flexibility.

The Board recessed for a break at 2:35 p.m. and returned at 2:53 p.m.

Professional Standards Board

1598 Delaware Professional Development Standards (For Discussion)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1598 Delaware Professional Development Standards. This regulation sets forth the standards for Delaware educators' professional development. Delaware professional development standards would reflect Learning Forward's recently adopted professional learning standards. The amendment will be advertised and presented to the State Board for action at a future meeting. Mr. Michels

indicated that written comments were received from the Governor's Advisory Council for Exceptional Citizens.

**American Sign Language Certification Programs
(For Action)**

Pursuant to DE Admin. Code 1565 World Language Teacher, the Professional Standards Board, with the concurrence of the State Board of Education, may approve a certificate program that establishes the minimum content knowledge in a World Language where no test of content is applicable and available, such as a Praxis II or an ACTFL test. Two American Sign Language certificate programs have been approved by the Professional Standards Board, and are before the State Board of Education for their concurrence. Mr. Michels explained that these programs allow world language teachers to teach American Sign Language.

A motion was made by Mr. Heffernan to approve the two American Sign Language certificate programs. The motion was seconded by Dr. Wilson and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Dr. Whittaker	
Dr. Wilson	

Charter Schools

**Presentation from East Side Charter School
(For Information)**

Mr. Lamont Browne, Head of School for East Side Charter School, made a presentation to the State Board. The State Board was presented with achievement data compiled by the school to show classroom growth. Mr. Browne commented that he felt the school is on the right track and shared comments from his staff on the changing culture of the school and how it has helped instruction and assessment. The school has also focused on the emotional needs of its students. The Board expressed its concerns

that even with the growth attained the students are not up to speed and there is no target for students to reach proficiency before they leave the school. The Board commented that there should be a sense of urgency for these students as the Board wants these students succeed. There was discussion on the school needing to increase the growth of its students as well as the proficiency of its students prior to its renewal. It was noted that having this conversation now enables to the school to make the appropriate adjustments. Also in attendance from East Side were Letisha Laws, Leah Anderson and Rod Ward.

**Charter School Annual Report Presentation
(For Information)**

Mr. Carwell highlighted the charter school annual report. The report outlines enrollment, demographics, academic performance and per pupil spending for each charter school. Enrollment in charter schools increased approximately 13% with 10,330 students currently enrolled in charter schools. Charter schools also enroll a higher percentage of African American students and students from low income families, compared to traditional public schools throughout the state. Mr. Carwell provided academic performance data and the number of charter schools that meet or exceed the state average. Regulation requires that charter schools meet or exceed the state average. The annual report will be issued annually every January.

**Decision on Application to Renew an Existing Charter: Academy of Dover
(For Action)**

The Board of Directors of this school submitted an Application to renew the school's charter for additional term of five years. Academy of Dover opened in 2003 and has 256 students enrolled in Kindergarten through Grade 4. It was explained that the school has been placed on formal review and probation in the past. The Charter School Accountability Committee issued its report and a public hearing on the application was conducted on February 14, 2012. It was the recommendation of the Charter School Accountability Committee to renew the charter for Academy of Dover for another five years subject to the conditions in the Final Report that addressed Criterion 6, Education Program as it pertains to Science and that Academy of Dover science teachers will attend the training sessions for which they have registered. A second condition was for

Criterion 11, Student Discipline and Attendance and that by March 30, 2012, the school's application and promotional materials must contain the web address to view Academy of Dover's Student Rights and Responsibilities Manual and information on how to receive a hard copy if the applicants do not have internet access.

Deputy Secretary of Education Cruce noted that pursuant to 14 Delaware Code, Section 103(a)(6), the Secretary has delegated the power to act on her behalf to the Deputy Secretary of Education and present for the State Board's assent. Mr. Cruce recommended that after reviewing the record in this matter as required, including the transcript of the public hearing, to accept the recommendation of the Charter School Accountability Committee and approve the renewal of the Academy of Dover Charter School with the conditions listed in the Final Report. Mr. Cruce cited that an additional condition was added that the school must conform to any DOE performance requirements or any subsequent amendments and additions thereto during the term of the charter, all of which will be reflected in the performance agreement to be entered into, no later than March 16, 2012. The last condition is based on the conversations that are currently taking place around the performance framework and the end product would be part of the school's renewal.

A motion was made by Mr. Coverdale that based on the record and consideration of the Secretary's approval, the Board assents to the approval of the application for renewal subject to the presented conditions as recommended by the Deputy Secretary on behalf of the Secretary. The motion was seconded by Mr. Heffernan and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Dr. Whittaker	
Dr. Wilson	

The Board was pleased with the additional condition that insures that once a performance framework is developed, Academy of Dover would be subject to the new criteria.

**Decision on Application to Renew an Existing Charter: Prestige Academy
(For Action)**

The Board of Directors of this school submitted an Application to renew the school's charter for additional term of five years. Prestige Academy opened in 2008 and has 300 students enrolled in Grades 5-8. The school is an all male school and this is its first application to renew. The Charter School Accountability Committee issued its report and a public hearing on the application was conducted on February 14, 2012. It was the recommendation of the Charter School Accountability Committee to renew the charter for Prestige Academy for five years subject to the conditions in the Final Report that addressed Criterion 6, Education Program that pertains to the Science, Social Studies and Visual and Performing Arts. For Science, Prestige science teachers will submit documentation to the Charter Office of attendance at training sessions for which they have been registered. For Social Studies, by August 2012, Prestige will submit to the Charter Office a complete year-long scope and sequence documents in Social Studies, for grades 5-8 and for Visual and Performing Arts, by August 2012, Prestige will submit a scope and sequence document for visual and performance arts as specified in DE Reg. 500 §6.0. A second condition was based on Criterion 8 on Economic Viability and requires the school to file a monthly financial report with the Department in the prescribed format and indicate the school's continued financial viability. The report is due on the third Monday of every month. The last condition pertains to Criterion 12, Health and Safety and requires by that March 2012 the school is to provide a written plan for assuring compliance with all applicable health and safety regulations.

Deputy Secretary of Education Cruce noted that pursuant to 14 Delaware Code, Section 103(a)(6), the Secretary has delegated the power to act on her behalf to the Deputy Secretary of Education and present for the State Board's assent. Mr. Cruce recommended that after reviewing the record in this matter as required, including the transcript of the public hearing, to accept the recommendation of the Charter School Accountability Committee and approve the renewal of the Prestige Academy Charter School with the conditions listed in the Final Report. Mr. Cruce cited that the same

additional condition added to Academy of Dover be added in that the school must conform to any DOE performance requirements or any subsequent amendments and additions thereto during the term of the charter, all of which will be reflected in the performance agreement to be entered into, no later than March 16, 2012.

A motion was made by Dr. Whittaker that based on the record and consideration of the Secretary's approval, the Board assents to the approval of the application for renewal subject to the presented conditions as recommended by the Deputy Secretary on behalf of the Secretary. The motion was seconded by Mr. Coverdale and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Dr. Whittaker	
Dr. Wilson	

Charter Schools Update (For Information)

The Board received the monthly update on charter schools.

Approval of the Science and Social Studies Grade Band Extensions

Ms. Johnson explained that the Science and Social Studies Grade Band Extensions were presented last month to the State Board and on the agenda today for action. Mr. Cruce stated that the Secretary is seeking the consent of the State Board of Education to approve the Grade Band Extensions (GBEs) that have been created to the Delaware Recommended Curriculum in Science and Social Studies.

A motion was made by Dr. Wilson to approve the Grade Band Extensions that have been created for the Delaware Recommended Curriculum in Science and Social Studies. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Dr. Whittaker	
Dr. Wilson	

Appeals and Reviews

Catherine Hickey, Deputy Attorney General and State Board legal counsel, requested that the State Board enter into Executive Session to consider the appeal matters as the appeals contained students' pupil files.

A motion was made by Mr. Heffernan for the State Board to go into Executive Session to consider the appeals which will include students' pupil files. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Dr. Whittaker	
Dr. Wilson	

The State Board went into Executive Session at 4:40 p.m. and returned to open session on a motion by Mr. Melendez at 5:26 p.m. The motion was seconded by Dr. Whittaker and carried unanimously.

W.W. v. Appoquinimink School District (2011-08) (For Action)

The State Board was asked to consider the proposed decision and order of the hearing officer in this appeal. A motion was made by Mr. Heffernan that the State Board having read and considered the record of the proceedings below (including the hearing transcript), any submissions to the hearing officer, the Proposed Order and it appearing that the decision is fully supported by the record, free of error, and otherwise within the

Board's powers, that the Proposed Order of the Hearing Officer be accepted and adopted as the Decision and Order of the State Board of Education.

The motion was seconded by Mr. Coverdale and carried with the following voice vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Dr. Whittaker	
Dr. Wilson	

The Board signed the appropriate Order.

**A.S. v. Delaware Interscholastic Athletic Association (2011-09)
(For Action)**

The State Board was asked to consider the proposed decision and order of the hearing officer in this appeal. This is a student appeal of a DIAA decision denying a request for a waiver. A motion was made by Dr. Whittaker that the State Board having read and considered the record of the proceedings below (including the hearing transcript), any submissions to the hearing officer, the Proposed Order and it appearing that the DIAA decision is fully supported by the record, free of error, and otherwise within the Board's powers, that the Proposed Order of the Hearing Officer be accepted and adopted as the Decision and Order of the State Board of Education.

The motion was seconded by Mr. Melendez and carried with the following voice vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Dr. Whittaker	
Dr. Wilson	

The Board signed the appropriate Order.

**A.Z. v. Smyrna School District Board of Education (2011-12)
(For Action)**

The State Board was asked to consider the proposed decision and order of the hearing officer in this appeal. The student and the student's parent were present for this appeal. A motion was made by Mr. Heffernan that the State Board having read and considered the record of the proceedings below (including the hearing transcript), any submissions to the hearing officer, the Proposed Order and it appearing that the decision is fully supported by the record, free of error, and otherwise within the Board's powers, that the Proposed Order of the Hearing Officer be accepted and adopted as the Decision and Order of the State Board of Education.

The motion was seconded by Mr. Coverdale carried with the following roll call vote recorded:

Ayes:	Nays:	Abstain:
Dr. Gray	None.	Dr. Whittaker
Mr. Melendez		
Mr. Coverdale		
Mr. Heffernan		
Dr. Wilson		

The Board signed the appropriate Order.

Adjournment

There being no further business, a motion was made, seconded and carried unanimously to adjourn the meeting. The meeting adjourned at 5:30 p.m.

Respectfully submitted,

Lillian M. Lowery
Executive Secretary and
Secretary of Education/

Executive Session

A motion was made by Mr. Heffernan for the State Board to go into Executive Session to consider the appeals which will include students' pupil files. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Dr. Whittaker	
Dr. Wilson	

The State Board went into Executive Session at 4:40 p.m.

The Board discussed the appeals with Catherine Hickey, Deputy Attorney General and legal counsel for the State Board. The Board returned to open session on a motion by Mr. Melendez at 5:26 p.m. The motion was seconded by Dr. Whittaker and carried unanimously.

Respectfully submitted,

Lillian M. Lowery
Executive Secretary and
Secretary of Education/